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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/043,797	01/11/2002	Joseph Pedziwiatr	29250/CE08185R	9106
29978	7590	08/10/2004	EXAMINER	
MARSHALL, GERSTEIN & BORUN (MOTOROLA)			IQBAL, KHAWAR	
233 SOUTH WACKER DRIVE			ART UNIT	
SUITE 6300			PAPER NUMBER	
CHICAGO, IL 60606-6402			2686	

DATE MAILED: 08/10/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/043,797

Applicant(s)

PEDZIWIATR ET AL.

Examiner

Khawar Iqbal

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-23 are rejected under 35 U.S.C. 102(e) as being unpatentable by Chuah (20030076803).

3. Regarding claim 1 Chuah teaches a wireless communication system, comprising (fig. 5):

a core system (104) adapted to establish a first set of redundant communication paths between the core system and respective first (108a) and second radio access network session clients (108b) associated with respective first and second locations within the wireless communication system (para. # 0028); and

a base transceiver station (106c) adapted to establish a second set of redundant communication paths (114c, 116c) between the base transceiver station (106c) and the respective first (108a) and second (108b) radio access network session clients (para. # 0028, 0011).

Regarding claim 8 Chuah teaches a wireless communication system, comprising (fig. 5): a core system having a first bridging function adapted to establish a first set of

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redundant communication paths between the core system and a plurality of radio access network session clients (para. # 0028); and a base transceiver station having a second bridging function adapted to establish a second set of redundant communication paths between the plurality of radio access network session clients and the base transceiver station (para. # 0028).

Regarding claim 15 Chuah teaches a wireless communication system, comprising (fig. 5): a core system; and a base transceiver station, wherein the core system and the base transceiver station are adapted to convey communications associated with a mobile communication device using a plurality of redundant communication paths and a plurality of redundant radio access network session clients (para. # 0028, 0011).

Regarding claim 19 Chuah teaches a wireless communication system, comprising (fig. 5): a core system; and a plurality of communicatively coupled radio access networks, wherein each of the plurality of communicatively coupled radio access networks is adapted to establish redundant communication paths for a mobile device and wherein each of the radio access networks is adapted to establish a radio access network session client associated with the redundant communication paths (para. # 0028, 0011).

Regarding claim 22 Chuah teaches a method of reallocating a radio access network session client within a wireless communication system having a core system and a base transceiver station, the method comprising (fig. 5): establishing a redundant radio access network session client within the wireless communication system (para. #

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0028); establishing a first set of redundant communication paths between the core system and the redundant radio access session client; establishing a second set of redundant communication paths between the redundant radio access session client and the base transceiver station (para. # 0028); determining the integrity of the first and second sets of redundant communication paths; and transferring control from the radio access network session client to the redundant radio access network session client based on the integrity of the first and second sets of redundant communication paths (para. # 0028, 0011).

Regarding claims 2,9,16 Chuah teaches wherein the respective first and second locations are associated with respective first and second radio access networks (para. # 0028).

Regarding claims 3,11 Chuah teaches wherein the core system includes fixed equipment (fig. 1, elements 24,34).

Regarding claims 4,12 Chuah teaches wherein the first and second sets of redundant communication paths include control and bearer paths (para. # 0023,0028).

Regarding claims 5,13,21,23 Chuah teaches wherein the first and second sets of redundant communication paths are adapted to simultaneously convey communications associated with a mobile communication device (para. # 0028).

Regarding claim 6 Chuah teaches wherein the mobile communication device is a cellular phone (fig. 1, element 18b).

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Regarding claims 7,14,18,20 Chuah teaches wherein one of the core system and the base transceiver station is adapted to determine the integrity of a communication path from the first and second sets of redundant communication paths (para. # 0028).

Regarding claim 10,17 Chuah teaches wherein the respective first and second locations within the wireless communication system are associated with respective first and second radio access networks (para. # 0028).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Fiter et al (20040053627), Beming et al (20030003919), Willars et al (20030013443), Rune et al (20020025815), Van Lieshout et al (20010036823), Hobbis (6760589) and Wallentine (6230013) teach connecting a node of plurality of nodes in the a first set with different nodes of a second set.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KHAWAR IQBAL whose telephone number is 703-306-3015.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **BANKS-HAROLD, MARSHA**, can be reached at 703-305-4379.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

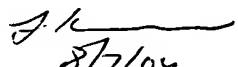
(703) 872-9314 (for Technology Center 2684 only)

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Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Khawar Iqbal


8/7/04
LESTER G. KINCAID
PRIMARY EXAMINER